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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

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9 MARK ANTHONY BOYKIN, ) Case No. 2:09-cv-2373-RLH-RJJ  
10 Plaintiff(s), ) 2:10-cv-0737-RLH-RJJ  
11 vs. )  
12 CITY OF NORTH LAS VEGAS, and )  
13 JOSEPH FORTI, )  
14 Defendant(s). )  
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**O R D E R**  
(Motion to Amend Complaint-#23)

15 Before the Court is Plaintiff's **Motion to File Amended Complaint in Case No.**  
16 **2:09-cv-2373-RLH-RJJ** (#23, FILED September 23, 2010). No opposition has been filed.

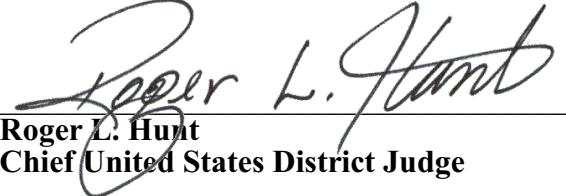
17 Local Rule 7-2(d) provides that failure to file points and authorities in opposition to a  
18 motion constitutes a consent that the motion be granted. *Abbott v. United Venture Capitol, Inc.* 718  
19 F.Supp. 828, 831 (D. Nev. 1989). It has been said these local rules, no less than the federal rules or  
20 acts of Congress, have the force of law. *United States v. Hvass*, 355 U.S. 570, 574-575 (1958); *Weil*  
21 v. *Neary*, 278 U.S. 160, 169 (1929); *Marshall v. Gates*, 44 F.3d 722, 723 (9<sup>th</sup> Cir. 1995). The  
22 United States Supreme Court itself has upheld the dismissal of a matter for failure to respond under  
23 the local court rules. *Black Unity League of Kentucky v. Miller*, 394 U.S. 100, 89 S. Ct. 766 (1969).

24 Furthermore, the motion appears to have merit and permitting the amendment would  
25 be in the interests of justice.

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1 IT IS THEREFORE ORDERED that Plaintiff's **Motion to File Amended Com-**  
2 **plaint in Case No. 2:09-cv-2373-RLH-RJJ (#23)** is GRANTED.

3 Dated: December 6, 2010.

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5 Roger L. Hunt  
6 Chief United States District Judge  
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